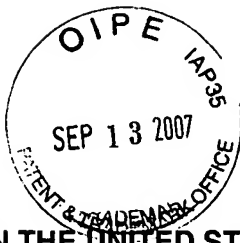


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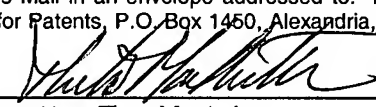
Patent
Case No.: CGL02/0011US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Mehra, Suhas K. Confirmation No.: 6817
Application No.: 10/521,129 Group Art Unit: 1621
Filed: January 12, 2005 Examiner: Karl J. Puttlitz
Title: METHOD FOR PROCESSING CEREAL MATERIAL

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<u>CERTIFICATE OF MAILING</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
<u>9/11/07</u>	
Date	Signed by: Theta MacArthur

Dear Sir:

This is in response to the Office Communication mailed July 7, 2007. Claims 1-17 are pending and were restricted under 35 USC § 121 as follows:

- I. Claims 1-13 are said to be drawn to a method of processing cereal material; and
- II. Claims 14-17 are said to be drawn to a methods of producing fermentation feedstocks.

Election

In response, Applicant elects Group 1, claims 1-13 with traverse.

Reconsideration of the restriction requirement is respectfully requested. Applicant submits that the claims in Groups I and II are so interrelated that a search of one group of claims will reveal art to the other. Were restriction to be effected between the claims in Groups I and II, a separate examination of the claims in Groups I and II would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I and II would have to be as rigorous as when only the claims of Group I were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicants submit that for restriction to be effected between the claims in Groups I and II, it would

place an undue burden by requiring payment of a separate filing fee for examination of the nonelected claims, as well as the added costs associated with prosecuting two applications and maintaining two patents.

Conclusion

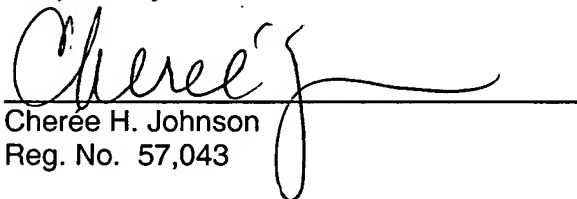
Applicants have elected Group I. Continued prosecution of this application is respectfully requested.

It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. ~~66-1135~~. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Date: _____

9/7/07

Respectfully submitted,


Cheree H. Johnson
Reg. No. 57,043

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